

Natural Environment Referral Response - Biodiversity

| | |
|--|--|
| Application Number: | DA2023/1042 |
| Proposed Development: | Proposed Alterations and additions to existing building for use as a home business, and proposed construction of new dwelling, detached shed, tennis court, swimming pool, cabana and vehicle access driveway. |
| Date: | 09/10/2023 |
| Responsible Officer | Megan Surtees |
| Land to be developed (Address): | Lot 182 DP 752017 , 56 Cooyong Road TERREY HILLS NSW 2084 |

Reasons for referral

This application seeks consent development on land, or within 40m of land, containing:

- All Development Applications on
- Actual or potential threatened species, populations, ecological communities, or their habitats;
- Wildlife corridors;
- Vegetation query stipulating that a Flora and Fauna Assessment is required;
- Vegetation query - X type located in both A & C Wards;

And as such, Council's Natural Environment Unit officers are required to consider the likely potential environmental impacts.

Officer comments

Updated Comments - 9/10/2023

An amended Arborist Report (Blues Brothers Arboriculture 18/09/2023) has been submitted confirming the retention of Tree 13. As there is no native vegetation proposed for removal from within the BV Map, the BOS is not triggered and as such a BDAR is not required.

No objections in relation to biodiversity, subject to conditions.

Updated Comments - 18/09/2023

An amended Landscape Plan (Belinda Pekert Landscape Designs 5th September 2023) has been submitted and is supported.

Should the applicant wish to retain Tree 13, the Arborist Report is to be amended noting the retention of the tree (see 5.2.3 of the Arborist Report). Upon receipt of the amended Report, Council's Biodiversity Referrals team will recommence assessment.

Original Comments - 22/08/2023

Council's Biodiversity referrals team have assessed the Development Application for compliance against the following applicable provisions:

- Biodiversity Conservation Act 2016 (BC Act)

- Biodiversity Conservation Regulation 2017 (BC Reg)
- Warringah DCP cl. E2 Prescribed Vegetation
- Warringah DCP cl. E6 Retaining Unique Environmental Features

The Development Application seeks consent for alterations and additions to existing building for use as a home business, and proposed construction of new dwelling, detached shed, tennis court, swimming pool, cabana and vehicle access driveway.

Portions of the site are identified on the Department of Planning and Environment's Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act 2016, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR).

The Arboricultural Impact Assessment (Blues Brothers Arboriculture 2023) has identified that seven (7) trees are proposed for removal including exempt species Tree 8 (4 x *Lagerstroemia indica*), Tree 15 (*Cinnamomum camphora*), and 1 x Mulberry tree.

Tree 13 (*Angophora costata*) is a prescribed tree and is located within the BV map. As such the removal of this tree will trigger the BOS and subsequently the requirement for a BDAR to be submitted with the application.

A Landscape Plan (Belinda Pekert Landscape Designs 2023) has been prepared to accompany the development application. Any planting within the BV Mapped area is to be comprised of locally native species as selected from Council's Native Planting Guide which is available on Council's Website (<https://www.northernbeaches.nsw.gov.au/environment/native-plants/native-planting-guide/narrabeen-ward>). The landscape plan is to be amended to reflect these comments and conditions.

On receipt of a BDAR Council's Biodiversity referrals team will recommence assessment of the application.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

No Clearing of Vegetation

Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Construction Certificate.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Wildlife Protection

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed during the construction works, except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.